

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

JACOB DAVID WOOLERY,

Plaintiff,

v.

ERIC MAGRINI, et al.,

Defendants.

No. 2:21-cv-1232-WBS-EFB P

ORDER

Plaintiff is a county jail inmate proceeding without counsel in an action brought under 42 U.S.C. § 1983. On September 13, 2021, the court screened plaintiff's complaint pursuant to 28 U.S.C. § 1915A, dismissed the complaint, explained the deficiencies therein, and granted plaintiff thirty days in which to file an amended complaint to cure the deficiencies. ECF No. 6. Despite being granted an extension of time (ECF No. 9), plaintiff did not file an amended complaint. Therefore, on December 9, 2021, the court issued findings and recommendations to dismiss this action. ECF No. 10.

Plaintiff has since filed "objections" to the findings and recommendations, wherein, he seeks another extension of time to file an amended complaint. ECF No. 11. Plaintiff's request is granted to the extent that the court will hold the findings and recommendations in abeyance to allow plaintiff another opportunity to file an amended complaint as previously directed. The court notes, however, that the amended complaint need not be overly detailed. It must include a

1 short and plain statement of the facts giving rise to plaintiff's claims. It must also clearly identify  
2 each defendant, state what each defendant did to violate his rights, and include a request for relief.  
3 It should not contain legal citations and does not need to include any other documents, exhibits or  
4 other forms of evidence.

5 Accordingly, IT IS HEREBY ORDERED that plaintiff's objections (ECF No. 11), which  
6 request an extension of time to file an amended complaint, are granted to the extent that plaintiff  
7 shall have another thirty days within which to amend his complaint. Should plaintiff fail to  
8 comply with this order, the findings and recommendations will be submitted to the district judge  
9 for consideration. To assist plaintiff, the Clerk of the Court shall send to him a form complaint  
10 for use by prisoners in § 1983 actions.

11 DATED: January 4, 2022.

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13 EDMUND F. BRENNAN  
14 UNITED STATES MAGISTRATE JUDGE

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